

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - February 17, 1971

Appeal No. 10662 Etta Tendrick, et al, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made seconded and unanimously carried, the following Order of the Board was entered at the meeting of February 23, 1971.

EFFECTIVE DATE OF ORDER - March 22, 1971

ORDERED:

That the appeal for variance from requirements of Section 3301 requiring 900 square feet per unit for conversion of flat into 3-unit apartment at 723 E. Capitol Street, N. E., lot 814, Square 898, be denied.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
 2. The property is improved with a three story with basement brick structure which is used as flats under Certificate of Occupancy A 23093.
 3. The appellant proposes to convert the flats into a three unit apartment house.
 4. The building has a carry-out located on the first floor and the second floor has five sleeping rooms with two baths and a kitchen. The third floor has three rooms and a bath with kitchen.
 5. The property is approximately 25' wide and 66' in depth with a total square footage of 1650.
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6. The size of the lot is less than required by the Zoning Regulations in the R-4 District, which requires 2700 square feet of land in order to convert to 3 apartment units.

7. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellant has not proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties or undue hardship upon the owner.

Further, we hold that the requested relief cannot be granted without substantial detriment to the public good and with substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____
PATRICK E. KELLY
Secretary of the Board